IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 14129 of 1993

Between:
1. Chelluboyina Apparao,
s/o.Appalaswamy, 59 yrs.,
Pavanputra Nagar, Sriharipuram,
Malakapuram post, Visakapatnam.

2.Neelathi Mahalakshmi, s/o.Somulu

..... PETITIONERs

AND

1. Hindustan Zinc Ltd.,rep by
General Manager, Visakapatnam.
2. Special Tahsildar, Land Acquistiion,
Revenue Division, Collectorate,
Visakapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly a writ in the nature of Mandamus directing the Ist respondent to extend the benefits of rehabilitation including employment to the second petitioner with all consequential and attendant benefits and pass such other relief or reliefs as this honourable court may deem fit in the circumstances of the case.

For the Petitioner: DR.P.B.VIJAY KUMAR

For the Respondent No.1: MR.K.SRINIVASAMURTHY

For Respondent No.2: The G.P.for Land Acquisition.
The Court Made the Following :

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ORDER:

Petitioner herein claims that he is owner of the land in Survey No.110/8 situated at Mindi village of Visakhapatnam, which was acquired by the second respondent herein, for the purpose of first respondent company. Accordingly award was passed on 13.10.1977 and compensation was also paid. However, as per the scheme enunciated by the State Government, in respect of similar acquisition, employment has to be provided to the petitioner. Though similar other claimants, namely Ch.Muthayalu, Ch.Appalaswamy, Ch.Chittibabu, whose lands were also acquired, were given employment, but the petitioners case has not been considered in spite of giving notice and representations. Hence, the writ petition.

Having heard the learned counsel on either side and also on perusal of material available on record, it is seen that the petitioner's request is only for providing employment on par with similarly placed other claimants and also in the interest of the scheme enunciated.

In view of the same, in stead of going into the merits of the case, it is suffice, in the interest of justice, to direct the petitioner to file an application before the first respondent herein within a period of four weeks from today and on receipt of which the respondent No.1 shall consider the same and pass orders, in accordance with law.

The writ petition is accordingly disposed of. No costs.

Dt.18.6.2004.

mdaa.

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

Copy to:

1.General Manager,
Hindustan Zinc Ltd., Visakapatnam.

2. Special Tahsildar, Land Acquistiion,
Revenue Division, Collectorate,
Visakapatnam.

3. Two C.D.copies.
4. Two C.Cs to G.P.for Land Acquisition, High Court of A.P.,
Hyderabad (OUT).